



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Lisa S. Martin, Tracy A. Masson, Matthew S. Snyder, Philip F. Mallory  
Assignee: Dell Products L.P.  
Title: Inventory and Order Management Tool  
Serial No.: 09/773,102 Filing Date: January 31, 2001  
Examiner: Lynda C. Jasmin Group Art Unit: 3627  
Docket No.: DC-02830 Customer No. 33438

Austin, Texas  
September 14, 2005

MAIL STOP AF  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PRE-APPEAL BRIEF REQUEST FOR REVIEW AND ARGUMENTS**

Sir:

Applicant requests review of the Final Rejection in the above-identified application. No amendments are being filed with the request. This request is being filed with a Notice of Appeal. The following sets forth a succinct, concise, and focused set of arguments for which the review is being requested.

**CLAIM STATUS**

Claims 1, 3, 5 – 9, 11 – 15, 17 – 18 stand rejected under 35 U.S.C. §103 as being unpatentable over Aram, U.S. Publication Number 2002/0072986 (Aram) in view of Goss, U.S. Patent No. 6,236,901 B1 (Goss).

**ARGUMENTS**

The present invention generally relates to a method for a manufacturer to order material. More specifically, in some embodiments, the invention relates to a method for a manufacturer to order material in which the material is not ordered until the manufacturer realizes a demand based upon orders received from customers. In other embodiments, the invention relates to a

method for a manufacturer to order material in which the material from suppliers and supply logistics centers are considered when ordering the material to manufacture a computer system.

More specifically, the present invention, as set forth by independent claim 1, relates to a method for a manufacturer to order material. The method includes considering a quantity of a material available from a plurality of suppliers via a computer system, considering a quantity of a material available from a plurality of supplier logistics centers via a computer system, identifying a supplier or a supplier logistics center to receive an order for the material based upon the considering, and sending electronically an order for the particular material to the supplier or supplier logistics center identified to receive the order. The material is not ordered until a manufacturer realizes a demand. The manufacturer realizes the demand for the material after orders are received from customers. Fulfilling the orders requires assembling the products and assembling the products requires the material.

The present invention, as set forth by independent claim 7, relates to a method of assembling a computer system. The method includes considering a quantity of a material available from a plurality of suppliers via a computer system, considering a quantity of a material available from a plurality of supplier logistics centers via a computer system, identifying a supplier or a supplier logistics center to receive an order for the material, ordering the material from the supplier or supplier logistics center identified to receive the order, and assembling the computer system at an assembly facility from the material.

The present invention, as set forth by independent claim 13, relates to a method of manufacturing a computer system. The method includes considering a quantity of material available from a plurality of suppliers via a computer system, considering a quantity of a material available from a plurality of supplier logistics centers via a computer system, identifying a supplier to receive an order for the material based upon the considering, sending electronically an order for material to the supplier or supplier logistics center identified to receive the order, and manufacturing the computer system at a manufacturing facility using the material received at the manufacturing facility.

Aram discloses a system for the acquisition, supply and management of goods and parts for goods. A computer system includes a database for storing parts-related data. The database includes a first table which includes a part identifier and a corresponding indication of a level of

stock of the identified part held by a supplier, and a second table which includes the part identifier and a corresponding indication of at least one order for the identified part from a customer. The system includes a first interface application for accessing the first table to make an offer to supply the identified part to the requester; an order receiving application for receiving an order to supply the identified part to the requester in response to the offer, and for storing the order in the data store; and a second interface application to co-operate with the communication means to provide access for the supplier to the second table.

Aram thus discloses ordering items by a customer from an intermediary, where the intermediary may be a manufacturer or a distributor. Parts for the items are supplied to the intermediary by a supplier. Aram provides two way information flow in which a supplier has access to order information and in which a manufacturer or a distributor has access to information relating to the supplier's stock.

The Examiner sets forth:

Aram fails to disclose that the material is not ordered until a manufacturer realizes a demand, and a manufacturer realizes the demand for the material after orders are received from customers fulfilling the orders requires assembling the products and assembling the products requires the material. (Final Office action dated May, 19, 2005, page 3.)

The Examiner further sets forth:

From the teaching of Goss, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modify [sic.] the method of ordering goods from a distributor in Aram to include the fulfilling and assembling of product manufacturing from specific order as taught by Goss to facilitate production of materials without keeping a large inventory at a processing factory. (Final Office action dated May 19, 2005, pages 3, 4.)

Goss discloses a build to order product assembly environment in which responsive to orders received, kit trays are prepared that each hold the components needed to build an ordered product. The kit tray is transferred to a work cell where a team builds the product. The product is then tested and repaired, with information regarding any problems provided to the responsible work cell. Thus, within Goss, it is assumed that the components needed to prepare the kit trays are already present within the manufacturing facility. There is no discussion within Goss of how the components arrive at the manufacturing facility.

Accordingly, Goss provides no disclosure or suggestion of a method for a manufacturer to order material and specifically does not disclose or suggest material not ordered until the manufacturer realizes a demand, the manufacturer realizes the demand for the material after orders are received from customers, fulfilling the orders requires assembling products, and assembling the products requires the material.

Thus, Aram and Goss, taken alone or in combination, do not disclose or suggest a method which includes sending electronically an order for the particular material to the supplier or supplier logistics center identified to receive the order much less such a method where the material is not ordered *until* a manufacturer realizes a demand where the manufacturer realizes the demand for the material *after orders are received from customers* and where fulfilling the orders requires assembling the products and assembling the products requires the material, all as required by claim 1.

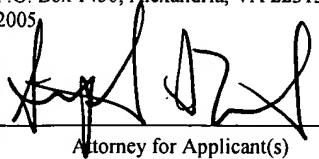
More specifically, Aram, and Goss, taken alone or in combination do not teach or suggest a method for a manufacturer to order material where the method includes considering a quantity of a material available from a plurality of suppliers via a computer system, considering a quantity of a material available from a plurality of supplier logistics centers via a computer system, identifying a supplier or a supplier logistics center to receive an order for the material based upon the considering, and sending electronically an order for the particular material to the supplier or supplier logistics center identified to receive the order and wherein *the material is not ordered until a manufacturer realizes a demand wherein the manufacturer realizes the demand for the material after orders are received from customers* wherein fulfilling the orders requires assembling products and assembling the products requires the material, all as required by amended independent claim 1. Accordingly, claim 1 is allowable over Aram and Goss. Claims 3 – 6 depend from claim 1 and are allowable for at least this reason.

Additionally, Aram and Goss, taken alone or in combination, do not disclose or suggest identifying a supplier or supplier logistics center to receive an order for *a material based upon considering a quantity of a material available*, much less ordering *the material* from the supplier or supplier logistic center identified to receive the order and assembling the computer system at an assembly facility from *the material* received at the assembly facility, as required by claim 7 and as generally required by claims 13 and 19.

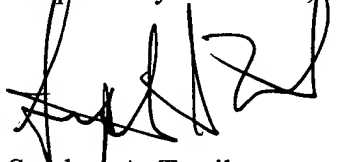
Additionally, Aram and Goss Peterson, taken alone or in combination do not teach or suggest a method of assembling a computer system wherein the method includes considering a quantity of a material available from a plurality of suppliers via a computer system, *considering a quantity of a material available from a plurality of supplier logistics centers* via a computer system, identifying *a supplier or a supplier logistics center* to receive an order for the material, ordering the material from *the supplier or supplier logistics center* identified to receive the order, and assembling the computer system at an assembly facility *from* the material received at the assembly facility, all as required by independent claim 7. Accordingly, claim 7 is allowable over Aram and Goss. Claims 8 – 12 depend from claim 7 and are allowable for at least this reason.

Additionally, Aram and Goss, taken alone or in combination do not teach or suggest a method of manufacturing a computer system where the method includes considering a quantity of material available from a plurality of suppliers via a computer system, considering a quantity of a material available from *a plurality of supplier logistics centers* via a computer system, identifying a supplier to receive an order for the material based upon the considering, sending electronically an order for material to *the supplier or supplier logistics center identified to receive the order*, and manufacturing the computer system at a manufacturing facility using the material received at the manufacturing facility, all as required by independent claim 13. Accordingly, claim 13 is allowable over Aram and Goss. Claims 14 – 18 depend from claim 13 and are allowable for at least this reason.

In view of the arguments set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, please telephone the undersigned.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop AF, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on September 14, 2005.	
	<u>9/14/05</u>
Attorney for Applicant(s)	Date of Signature

Respectfully submitted,

  
Stephen A. Terrile  
Attorney for Applicant(s)  
Reg. No. 32,946